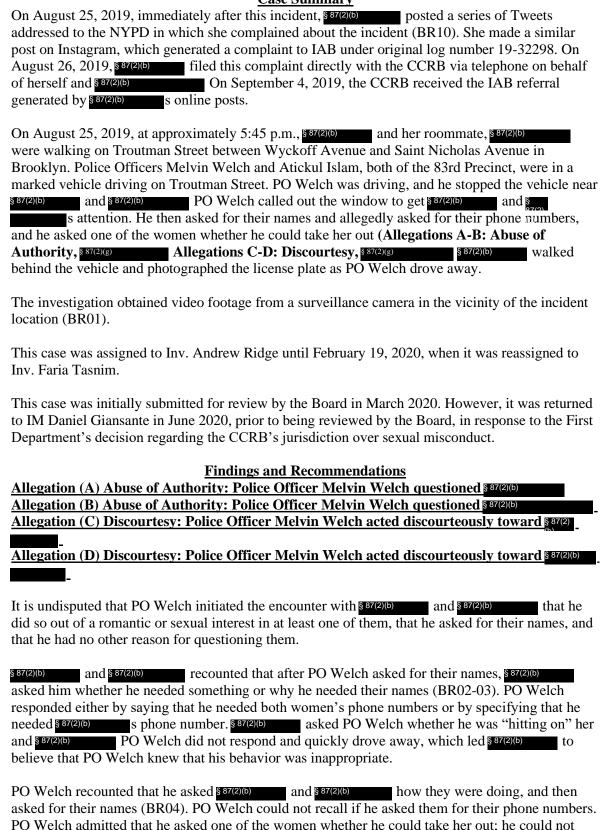
## CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	Discourt.	U.S.
Daniel Giansante		Squad #5	201907543	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Sunday, 08/25/2019 4:55 PM		Troutman Street between and Saint Nicholas Ave	•	83	2/25/2021	10/12/2021
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/Time	Received at CCI	RB
Mon, 08/26/2019 9:10 AM		CCRB	Phone	Mon, 08/2	6/2019 9:10 AM	I
Complainant/Victim	Type	Home Address				
Subject Officer(s)	Shield	TaxID	Command			
1. POM Melvin Welch	02051	949793	083 PCT			
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. POM Atickul Islam	26309	965211	083 PCT			
Officer(s)	Allegatio	on		Inve	stigator Recon	nmendation
A.POM Melvin Welch	Abuse: P	Police Officer Melvin We	elch questioned (8 87(2)			
B.POM Melvin Welch	Abuse: Police Officer Melvin Welch questioned § 87(2)(b)					
C.POM Melvin Welch		esy: Police Officer Melv cously toward <sup>§ 87(2)(b)</sup>	in Welch acted			
D.POM Melvin Welch		esy: Police Officer Melveously toward [8 87(2)(b)	in Welch acted			

## **Case Summary**



recall which woman, and he still did not recall after viewing photographs of the women. PO Welch

confirmed that he did not suspect \$87(2)(b) or \$87(2)(b) of any crimes, that he was not conducting "official police business" when he initiated a conversation with them, and that he did so solely because he wanted to take one of the women out romantically.
PO Islam recounted that prior to approaching \$87(2)(b) and \$87(2)(b) PO Welch said, "Look at the legs on that girl" (BR05). PO Welch then asked \$87(2)(b) and \$87(2)(b) how they were doing, and then told \$87(2)(b) that he needed her number. PO Islam could not recall whether PO Welch specifically asked either woman whether he could take them out. PO Islam believed that PO Welch was speaking to \$87(2)(b) in particular because he was primarily interacting with her. PO Islam also recounted that \$87(2)(b) told PO Welch, "As a police officer in uniform, you can't go around asking girls for their number." PO Welch then responded, "Why not? I'm a guy, I could go around asking girls for their numbers."
The surveillance footage showed that the incident lasted approximately 30 seconds (BR01). It confirmed that both \$87(2)(b) and \$837(2)(b) stopped near PO Welch's window after he called out to them, and that they stood beside each other and faced PO Welch during the conversation. It also confirmed that PO Welch drove away once \$837(2)(b) began walking into the street to photograph the rear of his vehicle.
§ 87(2)(b), § 87(2)(g)
NYPD Patrol Guide Procedure 212-11 states that an officer must have an objective, credible reason to approach a civilian and request information, such as the civilian's name, address, and destination. Any such questions must be related to the objective reason for which the officer approached the civilian. A reason is objectively credible if it is based on more than a hunch or a whim. The reason to gather information may relate to a public safety function or law enforcement function (BR06).
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## **Civilian and Officer CCRB Histories**

- This is the first complaint to which \$87(2)(b) and \$87(2)(b) have been parties (BR08-09).
- PO Melvin Welch has been a member of service for ten years and has been a subject in one CCRB complaint and one allegation, which was not substantiated. §87(2)(g)

## **Mediation, Civil and Criminal Histories**

• This complaint was not suitable for mediation.

Signature

- As of January 27, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (BR11).
- The BADS database shows no previous arrests for §87(2)(b) and § 87(2)(b) As a result, OCA searches for prior criminal convictions were not performed. Squad No.: Investigator: Signature Print Title & Name Date Squad Leader: Daniel Giansante IM Daniel Giansante December 14, 2020 Print Title & Name Signature Date Reviewer:

Print Title & Name

Date